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DEC 12 2006

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INTELLECTUAL PROPERTY LAW180 Pine Avenue North, Oldsmar FL 34877
(813) 925-8505 Tel (813) 925-8525 Fax**Fax****I N T E L L E C T U A L P R O P E R T Y**

To:	U.S. Patent & Trademark Office	From:	Ronald E. Smith
Attn:	Ralph Jean Bart, Art Unit: 2631	Client:	1372.08.PRWOUS
Fax:	571-273-8300	Pages:	20 including coversheet
Phone:	571-272-1017	Date:	December 12, 2006
Re:	USPN: 10/604,182	CC:	University of South Florida

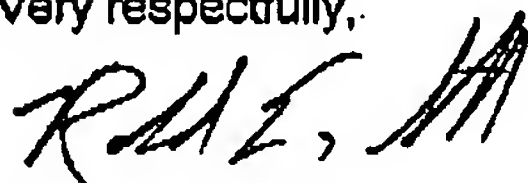
☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Dear Examiner Jean-Bart

In response to the non-final office action mailed September 12, 2006, we enclose the following:

- 1) Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated December 12, 2006 (2 pages); and
- 2) Amendment A with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated December 12, 2006 (17 pages):

Very respectfully,

Ronald E. Smith
USPTO Reg. No. 28,761

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DEC 12 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/604,182 Confirmation No.
Applicant: : Dennis K. Killinger 1181
Filed: : 06/30/2003
TC/A.U. : 2631
Examiner : Ralph Jean Bart

Docket No. : 1372.08.PRWOUS
Customer No. : 21901
For : Open-Path/Free-Space Optical Communication System and
Method Using Reflected or Backscattered Light

Transmitted to Central Fax at (571) 273-8300
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is an independent inventor.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of time is required.

CERTIFICATE OF FACSIMILE TRANSMISSION

(37 C.F.R. 1.8 (a))

I HEREBY CERTIFY that this Amendment A, including Amendments to the Claims and Remarks, are being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 2631, Attn: Ralph Jean Bart, (571) 273-8300, on December 12, 2006.

Dated: December 12, 2006

April Turley

(Amendment Transmittal—page 1)

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FEE FOR CLAIMS

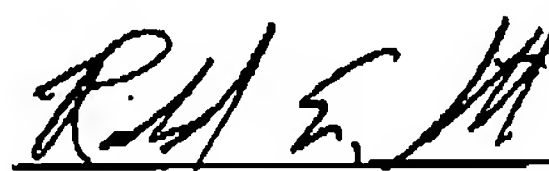
4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col.2)	(Col.3)	SMALL ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee
Total	29	Minus	33	= 0	x \$25 =	\$0
Indep.	5	Minus	5	= 0	x \$100 =	\$0
First Presentation of Multiple Dependent Claim					+ \$180 =	\$0
Total					Addit. Fee	\$0

- If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 - ** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".
 - *** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

No additional fee for claims is required.

Very respectfully,



SIGNATURE OF PRACTITIONER

USPTO Reg. No: 28,761
Tel. No.: (813) 925-8505

Ronald E. Smith
Smith & Hopen, P.A.
180 Pine Avenue North
Oldsmar, Florida 34677

(Amendment Transmittal—page 2)

DEC 12 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	: 10/604,182	Confirmation No.
Applicant:	: Dennis K. Killinger	1181
Filed:	: 06/30/2003	
TC/A.U.	: 2631	
Examiner	: Ralph Jean Bart	
Docket No.	: 1372.08	
Customer No.	: 21901	
For	: Open-Path/Free-Space Optical Communication System and Method Using Reflected or Backscattered Light	

Faxed to Central Fax at (571) 273-8300
Hon. Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT A

Introductory Comments

Sir:

In response to the non-final Examiner's Action mailed 09/12/2006, having a shortened statutory period for response set to expire 12/12/2006, the above-identified patent application is amended a first time as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims that begins on page 4 of this paper.

Remarks begin on page 11 of this paper.